

Remarks/Arguments

Claims 2-7, 22 and 27-29 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Yamazaki et al., U.S. Patent No. 4,999,709 (Yamazaki) in view of Toffolo et al., U.S. Patent No. 6,628,247 (Toffolo).

Applicant respectfully submits that it is only through the improper use of Applicant's disclosure and hindsight that the Examiner has combined Yamazaki and Toffolo in the rejection of Applicant's invention. Not only isn't there any teaching or suggestion of how to combine Yamazaki and Toffolo or why it would be desirable to combine them, Applicant submits that they are not even combinable to produce a useful device let alone Applicant's claimed invention. Applicant will now describe the teachings and operation of each reference and then explain why their teachings are inconsistent and not combinable.

Yamazaki pertains to an apparatus "for superimposing graphic title image signals onto an input video signal to produce a video picture having graphics, such as title images, superimposed thereon" (Abstract, lines 1-4). Yamazaki's apparatus is intended for primary use with a video camera in which the image captured is recorded on tape (Column 1, lines 12-14). Yamazaki's invention is not directed to a method of reducing the burning of the phosphor of cathode ray tube monitor screens used in television systems where necessary textual information is constantly displayed over a video image on the CRT screen. Rather, Yamazaki pertains to superimposing titles on video images captured by a camera and having those titles scroll horizontally or vertically across the video images. "Graphic title image data is written into a memory and subsequently is read out under the control of an address generator whose read-out addresses are shifted at a given repetition rate to change the positioning of the graphic title image data relative

to the video signal, thereby producing a scrolling effect of the graphics across an image plane.” (Abstract, lines 4-10) “Switches 33h and 33v are adapted, when actuated, to effect horizontal and vertical scrolling, respectively, of the graphic video signals relative to the input video signal then being picked up by video camera 30.” (Column 5, lines 11-14)

The operation of the Yamazaki device is described in the following quotation from the Detailed Description at column 6, lines 21-30: “The superposition circuits may be thought of as switching circuits which normally pass the video signal components supplied thereto from image processing circuit 4. However, in the presence of a blanking signal BLK from title apparatus 12, the superposition circuits pass the video signal components then being supplied by converter 15. Hence, portions of the video signal derived from CCD 1 are replaced by graphic title image signals then being provided by titler apparatus 12.”

From the foregoing quotations from Yamazaki, it is readily apparent that Yamazaki merely adds a title to the video image captured by CCD 1 and then scrolls that title horizontally or vertically based on the activation of switch 33h or 33v. The superimposed signal is then recorded by recorder 20.

Turning now to Toffolo Applicant draws the Examiner’s attention to two features. First, Toffolo displays the image in two positions simultaneously for a period of time; it does not simply move the image. At column 2, lines 21-26, Toffolo provides “After a first predetermined time period...the display controller 24, via its software, displays the image 30 in a second position 32b, while simultaneously displaying the image 30 in the first position 32a, such as shown in FIG. 2.” Second, Toffolo moves the image in a pattern so that the image ends up where it started. At column 2, lines 65-68, Toffolo provides “Subsequently, the image may be

shifted in a similar manner in other directions, such as to the left and/or upward, until the image 30 eventually returns to the first position 32a.”

Assuming for the sake of argument that Yamazaki and Toffolo can be combined, as Yamazaki’s scrolling title attempts to scroll across the screen, Toffolo’s display controller 24 will move the title around the screen thereby defeating the scrolling effect of Yamazaki. In addition, Toffolo’s simultaneously displaying of the title in two places will further interfere with the effect of the scrolling title. Moreover, the teaching of Toffolo to have the image 30 eventually return to the first position 32a is totally inconsistent with Yamazaki having the title scroll across the screen. Applicant respectfully submits that in view of the foregoing it is apparent that combining Yamazaki and Toffolo does not make sense, since they are inconsistent, i.e., one teaches scrolling a title across a screen and the other teaches moving the image around so that it ends up in the place where it began. To pick features from the two references and combine them in an attempt to replicate Applicant’s claimed invention can only be done through the improper use of Applicant’s disclosure and hindsight.

In addition to the improper combination and shortcomings of Yamazaki and Toffolo discussed above, Applicant also wants to focus the Examiner’s attention on additional distinctions of Applicant’s invention. Applicant’s method of displaying video, as recited in claim 29, comprises the steps of (a) providing a stream of live video images from a camera; (b) overlaying textual information on top of the stream of live video images in a manner to minimize blockage of the stream of live video images by the overlaid textual information; (c) displaying the stream of live video images and overlaid textual information on the screen of a display; and (d) automatically moving the overlaid textual information periodically without altering the overlaid textual information so that the overlaid textual information is continuously available on

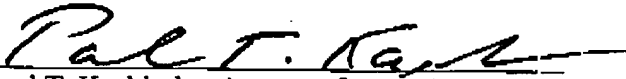
the screen, without moving the stream of live video images, without moving the overlaid textual information off of the screen, and with minimum blockage of the stream of live video images by the overlaid textual information. First, Applicant submits that the combination of Yamazaki and Toffolo does not automatically move the overlaid textual information periodically without altering the overlaid textual information so that the overlaid textual information is continuously available on the screen without moving the overlaid textual information off of the screen. Rather, Yamazaki teaches scrolling the title horizontally or vertically, which results in the title moving off of the screen. Second, Applicant submits that the combination of Yamazaki and Toffolo does not automatically move the overlaid textual information periodically without altering the overlaid textual information with minimum blockage of the stream of live video images by the overlaid textual information. Rather, Yamazaki's system scrolls the title vertically across the screen, thereby blocking portions of the underlying live video images from the top of the screen to the bottom of the screen as the title scrolls down the screen.

Accordingly, Applicant submits that Applicant's claimed invention as recited in independent claim 29 and dependent claims 2-7, 22, 27 and 28 are patentable over the combination of Yamazaki and Toffolo.

In view of the above remarks, it is respectfully submitted that this application is in condition for allowance. Applicant respectfully requests that this case be reconsidered, the claims allowed and passed to issue.

Respectfully submitted,

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